

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:
BALL
Serial No.: 10/732,726
Filed: December 10, 2003
Atty. File No.: 5564-152
For: *"Method and Apparatus for Assembling and Sealing Bathtub Overflow and Waste Water Ports"*

) Group Art Unit: 3751
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Examiner: Robert M. Fetsuga
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Appeal No.: 2009-0591
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Confirmation No.: 2017
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AMENDMENT AND RESPONSE
)
ASSOCIATED WITH A REQUEST FOR
CONTINUED EXAMINATION
)

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant submits this Amendment and Response in conjunction with a Request for Continued Examination (RCE) being filed herewith, thereby withdrawing the instant application from the above-identified appeal and reopening prosecution. 37 CFR §1.114(d). The fees associated with the RCE are being submitted electronically. No additional fees are believed due for this submission since it is being filed prior to a final decision of the Board and on or before November 17, 2008 (November 16, 2008 being a Sunday), the two-month due date to respond to the third Examiner's Answer dated September 16, 2008. The Examiner, however, is authorized to charge any underpayment to Deposit Account No. 19-1970.

Reconsideration and withdrawal of the rejections of the claims are respectfully requested in view of the following amendments and remarks.

Amendments to the Claims begin on page 2 of this paper; and

Remarks/Arguments begin on page 5 of this paper.